

caused by energy companies drilling new natural gas wells in his state.

But Mr. Pruitt left out one critical point. The three-page letter was written by lawyers for Devon Energy, one of Oklahoma's biggest oil and gas companies, and was delivered to him by Devon's chief of lobbying.

"Outstanding!" William F. Whitsitt, who at the time directed the government relations at the company, said in a note to Mr. Pruitt's office. The attorney general's staff had taken Devon's draft, copied it onto state government stationery with only a few word changes, and sent it to Washington with the attorney general's signature. "The timing of the letter is great, given our meeting this Friday with both the E.P.A. and the White House."

Mr. Whitsitt then added, "Please pass along Devon's thanks to Attorney General Pruitt."

The email exchange from October 2011, obtained through an open-records request, offers a hint of the unprecedented, secretive alliance that Mr. Pruitt and other Republican attorneys general have formed with some of the nation's top energy producers to push back against the Obama regulatory agenda, an investigation by the New York Times has found.

Out of public view, corporate representatives and attorneys general are coordinating legal strategy and other efforts to fight federal regulations, according to a review of thousands of emails and court documents and dozens of interviews.

For Mr. Pruitt, the benefits have been clear. Lobbyists and company officials have been notably solicitous, helping him raise his profile as president for two years of the Republican Attorneys General Association, a post he used to help start what he and his allies called the Rule of Law Campaign, which was intended to push back against Washington.

"We are living in the midst of a constitutional crisis," Mr. Pruitt told energy industry lobbyists and conservative state legislators at a conference in Dallas in July, after being welcomed with a standing ovation. "The trajectory of our nation is at risk and at stake as we respond to what is going on."

Mr. Pruitt has responded aggressively and with a lot of helping hands. Energy industry lobbyists drafted letters for him to send to the EPA, the Interior Department, the Office of Management and Budget, and even President Obama, the Times found.

Industries that he regulates have joined him as plaintiffs in court challenges, a departure from the usual role of a state attorney general, who traditionally sues companies to force compliance with state law.

Energy industry lobbyists have also distributed draft legislation to attorneys general and asked them to help push it through state legislatures to give the attorneys general clearer authority to challenge the Obama regulatory agenda, the documents show. And it is an emerging practice that several attorneys general say threatens the integrity of the office.

The message is clear across Massachusetts and across the Nation: Big Oil's go-to attorney general is Scott Pruitt, and he has no business running the EPA. He has proven over and over again that he will put short-term industry profits ahead of the health of our children. This nominee has no interest in protecting every American's right to breathe clean air and drink clean water. We cannot put someone so opposed to the goals of the EPA in charge of that very Agency.

For these reasons, I will be voting no on Scott Pruitt. I urge my colleagues to do the same.

I yield the floor.

EXECUTIVE CALENDAR

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of all nominations on the Secretary's Desk; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE ARMY

PN16 ARMY nominations (2) beginning Jeremy D. Karlin, and ending Irahim A. Sanchez, which nominations were received by the Senate and appeared in the Congressional Record of January 9, 2017.

IN THE NAVY

PN17 NAVY nomination of Mathew M. Lewis, which was received by the Senate and appeared in the Congressional Record of January 9, 2017.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent that of the postcloture debate time under my control, that 60 minutes be yielded to Senator SCHATZ, 60 minutes be yielded to Senator WHITEHOUSE, 35 minutes be yielded to Senator MERKLEY, and 15 minutes be yielded to Senator CANTWELL.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that of the postcloture debate time under my control, that 50 minutes be yielded to Senator MERKLEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I think it is important to understand what just happened today that makes this debate on Scott Pruitt to lead the EPA so critically important. We call ourselves the world's greatest deliberative body, and that is actually a well-earned reputation. Sometimes we move slowly. Sometimes we move so slowly that it is maddening for both parties and for the American public. There is a reason that the Senate moves slowly. It is because in a lot of instances it has the weightiest decisions that any public official could ever make. In this instance, we are deciding on the person to comply with the Clean Air and the Clean Water Acts, the Endangered Spe-

cies Act, to discharge their duties as the leader of the EPA.

Something happened today that changes this whole debate. In Federal law, there is something called FOIA, the public records law regarding Federal officials. Most State laws have some kind of open records law, and Oklahoma is no different. There was a lawsuit against the Oklahoma attorney general, Scott Pruitt, and it basically said: Listen, you have to disclose the emails between your office and a bunch of energy industry companies. And the context here is absolutely important. Scott Pruitt is not just a person who is bad on the issue of climate; this is a person who is a professional climate denier. This is a person who has made his bones, politically and professionally, trying to undermine all the authorities the EPA possesses. This is a person who is a plaintiff in multiple lawsuits, as the Oklahoma attorney general, against the EPA. This is a person who has not promised to recuse himself when he is running the EPA. So imagine that there are going to be pending lawsuits where he was the plaintiff, and they are going to still be before the EPA. He was asked in committee whether he would recuse himself, because obviously it is preposterous to be both the plaintiff and the defendant in a lawsuit. It just stands to reason. He did not promise to recuse himself.

So this is a person who has an incredibly close, uncomfortably close working relationship with the fossil fuel industry. He may have that as a sincerely held belief, but the Oklahoma State law requires that he disclose whom he is working with. Why is that relevant? Well, he actually had a couple of instances where he has taken language given to him, sent to him by email from oil companies, and he just copied it—select all, copy, drop it, paste it—onto Oklahoma attorney general letterhead, and then transmitted it to the EPA as if it were from the AG's office in Oklahoma. So that is the context.

What did this Federal judge say today? An Oklahoma County district court judge said that according to the Oklahoma Open Records Act—Aletia Haynes Timmons from the district court of Oklahoma instructed Pruitt's office to hand over the emails by close of business next Tuesday.

So here we are, trying to jam through this nomination, and now it makes perfect sense why they wanted to run the clock. They had congressional delegation trips to Munich for the security conference. There were Republicans who were planning to meet with NATO allies. There was another overseas trip of great import. Yet they abandon all other obligations, all other objectives, and they are bound and determined to run this clock until 1 p.m. tomorrow because they need to vote before these emails become disclosed. Tuesday is when we will see these emails. Yet we seem to be in a